IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

Bail Appl..No. 253 of 2007(R)

Crime No.143/97 of Kozhinjampara Police Station

PETITIONER:

NANDAKUMAR, S/O. AYYAVU, SANKARA CHAMPALAYAM, NATTUKAL, CALICUT TALUK, PALAKKAD DISTRICT

BY ADV. SRI.SAJAN VARGHEESE K.

RESPONDENTS:

STATE OF KERALA REP. BY SUB INEPECTOR OF POLICE, KOZHINJAMPARA POLICE STATION, REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA AT ERNAKULAM

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 253 of 2007

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Dated this the 11th January, 2007.

ORDER

Petitioner, who is the fifth accused in Crime No.143 of 1997 of Kozhinjampara Police Station for an offence punishable under Section 498A read with Section 34 I.P.C., seeks anticipatory bail.

2. Admittedly consequent on the non-appearance of the petitioner before the trial court, the case against him has been split up and has been included in the long pending register where it is registered as L.P.No.83 of 2001. Anticipatory bail cannot be granted so as to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the trial court and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same date on which it is filed.

With this direction, this petition is disposed of.

V.Ramkumar,
Judge.

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